



**City of Bellevue
Development Services Department
Land Use Staff Report**

Proposal Name: 6615 170th PI SE CALUP

Proposal Address: 6615 170th PI SE

Proposal Description: Critical Areas Land Use Permit to allow placement of above ground stormwater infrastructure within a steep slope and steep slope buffer to connect to existing stormwater infrastructure located to the southwest.

File Number: 21-115543-LO

Applicant: Jamie Richter, Adam Leland Homes

Decisions Included: Critical Areas Land Use Permit
(Process II. LUC 20.30P)

Planner: David Wong, Planner

**State Environmental Policy Act
Threshold Determination:** Exempt

Director's Decision: **Approval with Conditions**
Reilly Pittman
Acting Planning Manager

Elizabeth Stead, Land Use Director
Development Services Department

Application Date: July 14, 2021
Notice of Application Publication Date: August 12, 2021
Decision Publication Date: October 14, 2021
Project Appeal Deadline: October 28, 2021

For information on how to appeal a proposal, visit Development Services Center at City Hall or call (425) 452-6800. Comments on State Environmental Policy Act (SEPA) Determinations can be made with or without appealing the proposal within the noted comment period for a SEPA Determination. Appeal of the Decision must be received in the City's Clerk's Office by 5 PM on the date noted for appeal of the decision.

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Attachments

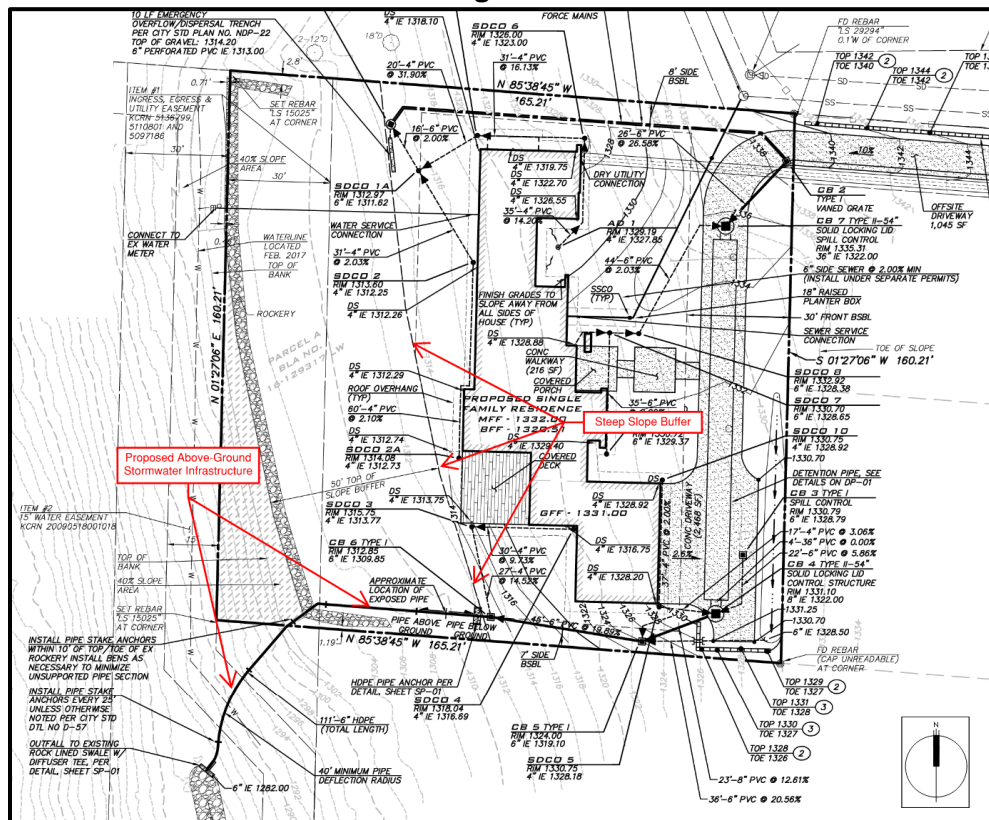
1. Site Plan

I. Proposal Description

The applicant proposes to locate stormwater infrastructure associated with the proposed single-family structure (COB 20-120601-BS) within a steep slope and steep slope buffer to connect to existing downstream stormwater infrastructure to the southwest of the site. The infrastructure improvements within the steep slope and buffer consists of 111 feet of 6-inch HDPE piping, pipe stakes and anchors, and a diffuser tee. The proposal includes 10 linear feet of minor ground disturbance within the outer portion of the steep slope buffer to daylight underground stormwater infrastructure.

Proposals to locate new stormwater infrastructure within a steep slope and steep slope buffer are required to receive approval through a Critical Areas Land Use Permit (CALUP). See Figure 1 for proposed conditions.

Figure 1



II. Site Description, Zoning, Land Use and Critical Areas

A. Site Description

The subject property is located at 6615 170th PL SE and is listed under King County tax parcel number 2524059085. The size of the lot is 26,434 square feet; contains a steep slope critical area with a westerly aspect and its 50-foot buffer. Vegetation on site is characterized by small to medium native evergreen and deciduous trees species; a variety of native shrubs; and native groundcover associated with steep slopes. Areas of invasive species, non-native grasses, and ornamental shrub species are found through

much of the site. See Figure 2 for existing site conditions.

Figure 2



B. Zoning, Neighborhood Area, and Comprehensive Plan

The underlying zoning of the property is R-1.8 (a single-family zoning district) and it is located within the Cougar Mountain Lakemont neighborhood area. The property has a Comprehensive Plan designation of Single-Family Low Density (SF-L). See Figure 3 for zoning; Figure 4 for subarea; and Figure 5 for Comprehensive Plan designation.

Figure 3

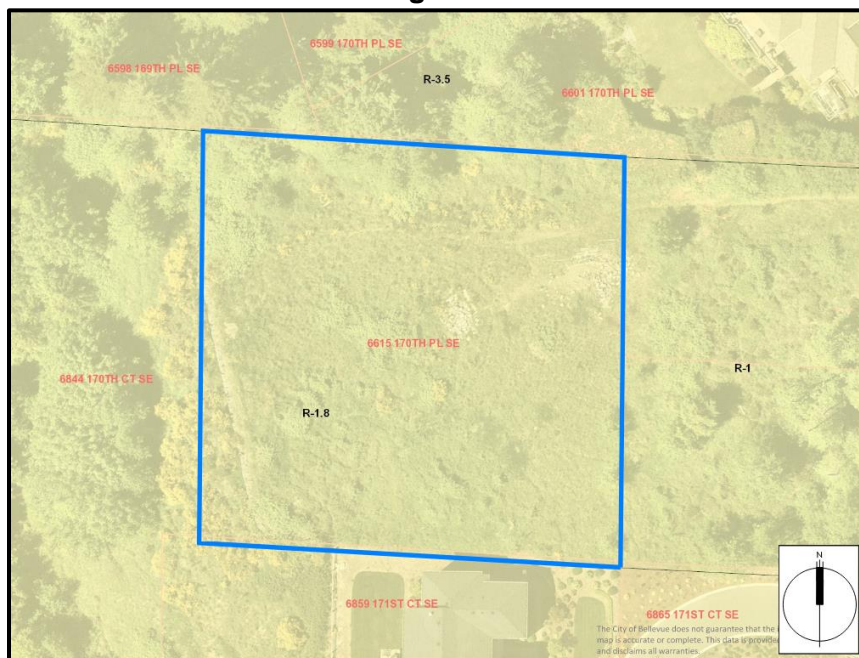
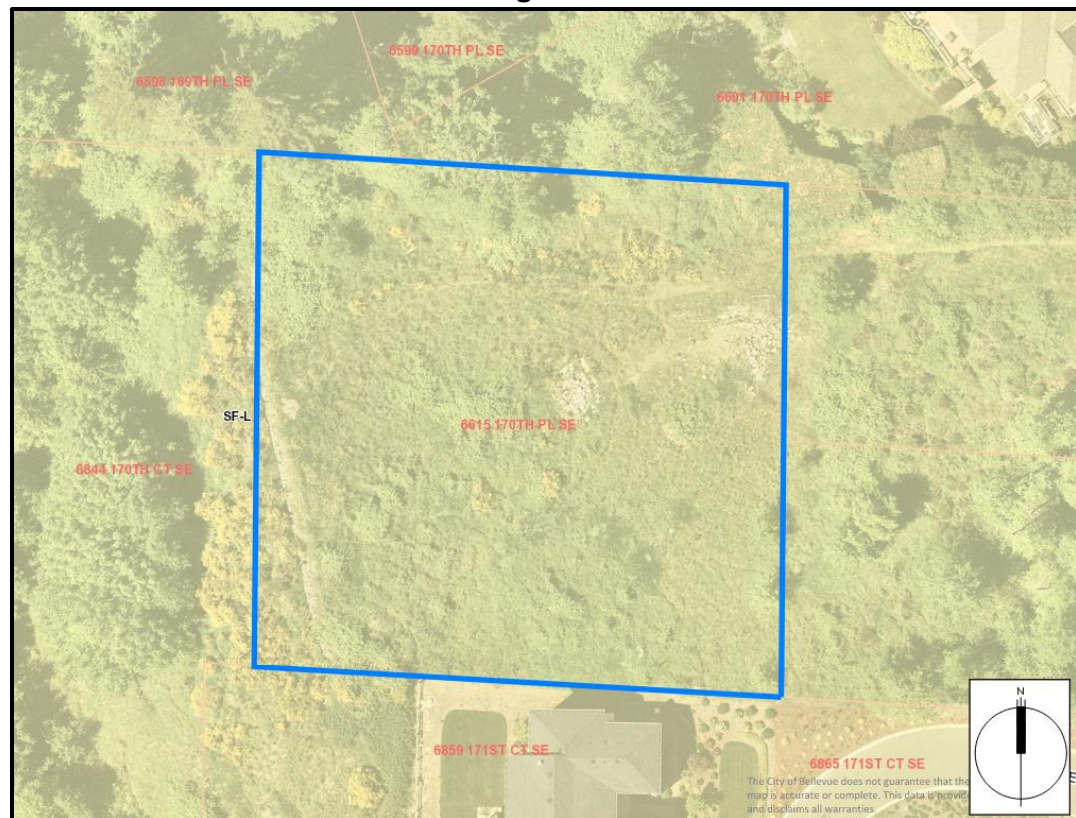


Figure 4



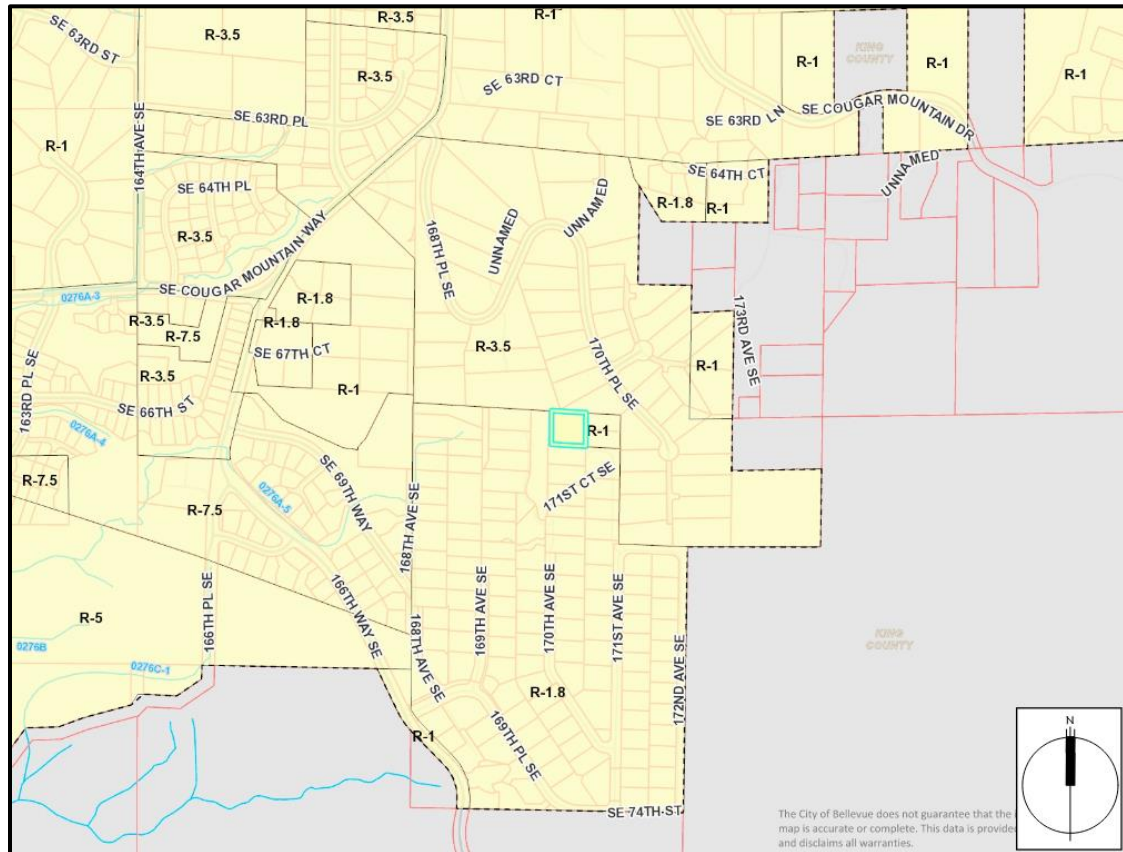
Figure 5



C. Land Use Context

The site is bordered to the north by R-3.5 single-family zoning; to the east by R-1 single-family zoning; and the south and west by R-1.8 single-family zoning. See Figure 6 for land use context information.

Figure 6



D. Critical Areas

i. Steep Slopes

A steep slope critical area with a west-facing aspect is located on the west side of the site with approximately 64 feet of elevation change (1,240-1,306' ASL). A buffer of 50 feet is applied from the top of the steep slope where the existing retaining wall is located.

E. Critical Areas Functions and Values

i. Steep Slopes and Geologic Hazard Areas

Geologic hazards pose a threat to the health and safety of citizens when commercial, residential, or industrial development is inappropriately sited in areas of significant hazard. Some geologic hazards can be reduced or mitigated by engineering, design, or modified construction practices. When technology cannot reduce risks to

acceptable levels, building in geologically hazardous areas is best avoided (WAC 365-190).

Steep slopes may serve several other functions and possess other values for the City and its residents. Several of Bellevue's remaining large blocks of forest are located in steep slope areas, providing habitat for a variety of wildlife species and important linkages between habitat areas in the City. These steep slope areas also act as conduits for groundwater, which drains from hillsides to provides a water source for the City's wetlands and stream systems. Vegetated steep slopes also provide a visual amenity in the City, providing a "green" backdrop for urbanized areas enhancing property values and buffering urban development.

III. Consistency with Land Use Code Requirements:

A. General Development Requirements – 20.20

Stormwater infrastructure is allowed within the R-1.8 single-family zoning district. Conformance with all zoning requirements will be verified as part of the required Building Permit review. See Section X for Conditions of Approval related to required Building Permit.

B. Critical Areas Requirements LUC 20.25H:

i. Consistency with LUC 20.25H.055 – New or Expanded Stormwater Facilities

Location of stormwater facilities within a steep slope and buffer is allowed only when no technically feasible alternative with less impact on the critical area or buffer exists. In compliance with City of Bellevue Utilities codes and standards, minimum requirement #1 requires discharge of stormwater to occur at the natural discharge location, or westward and downslope. Site reconnaissance and analysis determined fill soils to be present on-site associated with the steep slope and slope buffer and determined on-site management of stormwater to be infeasible. The property benefits from a downslope utility easement located adjacent to the western property boundary, and in which a rock-lined swale currently exists. Minor clearing and grading of approximately 10 linear feet of the outer portion of the steep slope will occur to daylight underground stormwater infrastructure to transition to the above ground 6-inch HDPE pipe. The HDPE pipe will run to the west over the existing retaining wall and then southwest toward the rock-lined swale, and anchors and stakes will be used to secure the HDPE pipe and minimize surface disturbance. A temporary restoration plan will be required to be submitted for review under the Building Permit (COB 20-120601). See Section X for conditions of approval related to restoration plan requirements.

C. Consistency with Land Use Code Critical Areas Performance Standards:

i. Steep Slope Performance Standards – 20.25H.125

The stormwater infrastructure meets all performance standards of 20.25H.125. The proposal is designed to avoid direct impacts to the slope and vegetative cover of the slope while meeting City of Bellevue Utilities Code requirements and geotechnical

construction and safety recommendations. The placement and anchoring of HDPE piping will avoid the need to discharge collected stormwater over the steep slope towards existing stormwater infrastructure located downslope. No trees or other mature vegetation are to be removed to accommodate the proposed stormwater infrastructure. No other structures, new impervious surface, or permanent disturbance are proposed under this permit. The limited buffer area where underground piping is daylighted and connected to the above ground HDPE pipe is required to be restored to preconstruction levels. See Section X for Conditions of Approval related to the restoration plan, Land Use inspection, and hold harmless agreement.

IV. Public Notice and Comment

Application Date:	July 14, 2021
Public Notice (500 feet):	August 12, 2021
Minimum Comment Period:	August 26, 2021

The Notice of Application for this project was published in the City of Bellevue weekly permit bulletin on August 12, 2021, and it was mailed to property owners within 500 feet of the project site. No comments have been received from the public as of the writing of this staff report.

V. Summary of Technical Reviews

Clearing and Grading:

The Clearing and Grading Division of the Development Services Department has reviewed the proposed development for compliance with Clearing and Grading codes and standards. The Clearing and Grading staff found no issues with the proposed development. Due to the proximity to steep slopes, site development is restricted during the rainy season to avoid risk of impacts to the steep slope critical area, and all pesticides, insecticides, and fertilizer use shall be in accordance with City of Bellevue Environmental Best Management Practices. Geotechnical inspection conducted by the project engineer will be required to occur. See Section X for Condition of Approval related to rainy season restrictions; pesticide, insecticide, and fertilizer use; and geotechnical inspection.

Utilities:

The Utilities Division of the Development Services Department has reviewed the proposed development for compliance with Utilities codes and standards. The Utilities staff found no issues with the proposed development.

VI. State Environmental Policy Act (SEPA)

Construction associated with the development of a single-family residence is categorically exempt per WAC 197-11-800 (1).

VII. Changes to Proposal as a Result of City Review

No changes were requested by the City during the review of this proposal.

VIII. Decision Criteria

The proposal, as conditioned below, meets the applicable regulations and decision criteria for a Critical Areas Land Use Permit pursuant to LUC Section 20.30P.

A. Critical Areas Land Use Permit Decision Criteria 20.30P

The Director may approve or approve with modifications an application for a critical areas land use permit if:

1. The proposal obtains all other permits required by the Land Use Code;

Finding: The applicant must obtain a Building before beginning any work. See Section X for Conditions of Approval related to required Building Permit.

2. The proposal utilizes to the maximum extent possible the best available construction, design and development techniques which result in the least impact on the critical area and critical area buffer;

Finding: The proposal has been designed to completely avoid direct impacts to the steep slope and to minimize impacts to a limited portion of the outer 10 feet of the steep slope buffer. The proposal avoids likely impacts identified by the project geotechnical engineer associated with fill soil in the steep slope and in the location of the existing retaining by routing stormwater through above ground piping.

3. The proposal incorporates the performance standards of Part 20.25H to the maximum extent applicable, and;

Finding: As discussed in Section III of this report, the proposal meets the performance standards of LUC 20.25H.125 for work within a steep slope critical area.

4. The proposal will be served by adequate public facilities including street, fire protection, and utilities; and;

Finding: The proposal is to install infrastructure to provide stormwater utility service to the site.

5. The proposal includes a mitigation or restoration plan consistent with the requirements of LUC Section 20.25H.210; and

Finding: Temporary restoration is discussed in the proposal reporting and is consistent with the requirements of LUC 20.25H.210. Plans consistent with the activities of this approval are required to be submitted under the Building Permits for review and final approval. See Section X for Conditions of Approval related to required Building Permit.

6. The proposal complies with other applicable requirements of this code.

As discussed in Section III of this report, the proposal complies with all other applicable requirements of the Land Use Code.

IX. Conclusion and Decision

After conducting the various administrative reviews associated with this proposal, including Land Use Code consistency, SEPA, City Code and Standard compliance reviews, the Director of Land Use does hereby approve with conditions the proposal to construct stormwater infrastructure within the steep slope critical area and 50-foot steep slope buffer.

Note - Expiration of Approval: In accordance with LUC 20.30P.150 a Critical Areas Land Use Permit automatically expires and is void if the applicant fails to file for a Building Permit or other necessary development permits within one year of the effective date of the approval.

X. Conditions of Approval

The applicant shall comply with all applicable Bellevue City Codes and Ordinances including but not limited to:

Applicable Ordinances	Contact Person
Clearing and Grading Code- BCC 23.76	Savina Uzunow, 425-452-7860
Land Use Code- BCC 20	David Wong, 425-452-4282
Utilities Code- BCC 24	Jason Felgar, 425-452-7851

The following conditions are imposed under the Bellevue City Code or SEPA authority referenced:

1. Construction Permits:

Approval of this Critical Areas Land Use Permit does not constitute an approval of a development permit. Application for a Building Permit is required to be submitted and approved. Plans submitted as part of either permit application shall be consistent with the activity permitted under this approval.

Authority: Land Use Code 20.30P.140

Reviewer: David Wong, Land Use

2. Rainy Season Restrictions:

Due to critical area proximity, no clearing and grading activity may occur during the rainy season, which is defined as October 1 through April 30 without written authorization of the Development Services Department. Should approval be granted for work during the rainy season, increased erosion and sedimentation measures, representing the best available technology must be implemented prior to beginning or resuming site work.

Authority: Bellevue City Code 23.76.093.A

Reviewer: Savina Uzunow, Clearing and Grading

3. On Site Inspection by Geotechnical Engineer Required

The project geotechnical engineer of record or his representative must be on site during critical earthwork operations. The geotechnical engineer shall observe the work within the steep slope area. The engineer must submit field report in writing to DSD inspector. All earthwork must be in general conformance with the recommendations in the geotechnical report.

Authority: Bellevue City Code 23.76.050; 23.76.160

Reviewer: Savina Uzunow, Clearing & Grading

4. Final Restoration Plan

A restoration plan addressing any ground disturbance associated with the connection of the underground piping to the above ground HDPE piping shall be submitted as a component of the Building Permit. The plan shall include and identify all areas of restoration work, plant materials, and quantities, and shall comply with species and spacing recommendations of the Critical Areas Handbook.

Authority: Land Use Code 20.25H.205.F

Reviewer: David Wong, Land Use

5. Hold Harmless Agreement

Prior to building permit approval, the applicant or property owner shall submit a hold harmless agreement releasing the City of Bellevue from any and all liability associated with the installation and placement of stormwater infrastructure within the steep slope and steep slope buffer. The agreement must meet city requirements and must be reviewed by the City Attorney's Office for formal approval.

Authority: Land Use Code 20.30P.170

Reviewer: David Wong, Land Use

6. Land Use Inspection

A Land Use (600) inspection is required prior to Building Permit final inspection to verify plant installation is complete and according to the restoration plan.

Authority: Land Use Code 20.25H.220.F

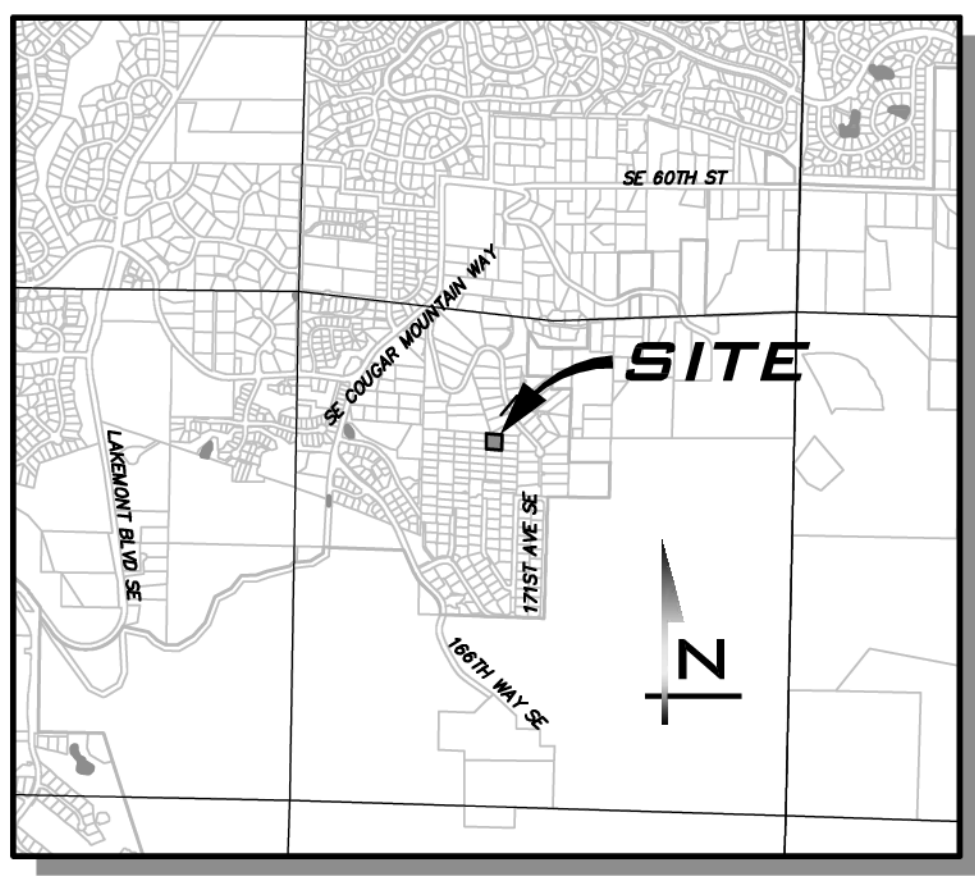
Reviewer: David Wong, Land Use

7. Pesticides, Insecticides, and Fertilizers

The applicant must submit as part of the required Building Permit information regarding the use of pesticides, insecticides, and fertilizers in accordance with the City of Bellevue's "Environmental Best Management Practices".

Authority: Land Use Code 20.25H.080.A, 20.25H.100.F

Reviewer: David Wong, Land Use



SP-01 STORMWATER SITE PLAN
SITE PLAN B
SP-02 STORM OUTFALL PROFILE
DP-01 STORM DETENTION PLAN
TP-02 TESC & DEMOLITION PLAN
GN-01 GENERAL NOTES

1. RECORD OF SURVEY, BOOK 280, PAGE 131, RECORDS OF KING COUNTY, WASHINGTON.
2. RECORD OF SURVEY, BOOK 338, PAGE 291, RECORDS OF KING COUNTY, WASHINGTON.
3. CITY OF BELLEVUE BOUNDARY LINE ADJUSTMENT NO. 16-129317 LW, RECORDING NO. 20160927900002, RECORDS OF KING COUNTY, WASHINGTON.

CITY OF BELLEVUE

WASHINGTON

UTILITY GRID # M-17

***STORMWATER SITE PLAN
SITE PLAN B***

JOB NUMBER: **20-228**

SEC 25 TWP 24 RGE 5E SHT 1 OF 5